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8 Attorneys for Defendant  
9 SAFEWAY INC.

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA

12 \_\_\_\_\_  
13 CRAIG YATES, an individual,  
14 Plaintiff,  
15 vs.

16 SAFEWAY, INC., a Delaware  
17 Corporation,  
18 Defendants.

19 \_\_\_\_\_  
20 CRAIG YATES, an individual,  
21 Plaintiff,  
22 vs.

23 PERKOS CAFÉ; SAFEWAY, INC.;  
24 GLEN WIENKE; TAMRA WIENKE;  
LEE ROY CAMPBELL; and DOES 1  
through 50, Inclusive,  
25 Defendants.  
26 \_\_\_\_\_  
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) No. CV 11-1571 SI  
) Related to CV 11-0873 SI

) STIPULATION AND ~~Proposed~~  
) ORDER CONTINUING THE  
) CASE MANAGEMENT  
) CONFERENCE NOW  
) SCHEDULED FOR NOVEMBER  
) 18, 2011

) Trial Date: None Set

1 **INTRODUCTION**

2 In these related cases, plaintiff alleges that he is disabled and that  
3 defendants violated the Americans with Disabilities Act by denying him  
4 access to the Perko's Café and Tacos El Rey Restaurant located in the  
5 Willow Tree Shopping Center in Lakeport California. The center is owned  
6 by Safeway, Inc.

7 On September 8, 2011, the court issued a notice of a Further Case  
8 Management Conference to take place on October 28, 2011 at 3:00 p.m.  
9 The Court continued the conference to November 18, 2011 following  
10 stipulation by the parties because counsel for Safeway was unavailable.  
11 Since that time, the Perkos action, (No CV 11-0873), settled with the  
12 assistance of Magistrate Judge Cousins. Judge Cousins has only recently  
13 been assigned to conduct a settlement conference in the related case (No. CV  
14 11-1571) and has ordered the conference in that action to take place on  
15 December 15, 2011.

16 Subject to the court's approval, the parties in the related Yates action  
17 (No. CV 11-1571) have agreed to stipulate to a continuance of the Further  
18 Case Management Conference until the aforementioned settlement  
19 conference has been conducted.

20 **STIPULATION**

21 The parties hereby stipulate that the Further Case Management  
22 Conference now scheduled to take place on November 18, 2011 be  
23 continued to either January 20, 27<sup>th</sup> or February 3, 2012 or as soon thereafter  
24 as is convenient for the court.

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1 Respectfully submitted.

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3 Dated: November 11, 2011

THOMAS E. FRANKOVICH, ESQ.  
A PROFESSIONAL LAW  
CORPORATION

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/s/  
\_\_\_\_\_  
Attorneys for Plaintiff  
CRAIG YATES

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9 Dated: November 11, 2011

SAFEWAY INC.

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/s/  
\_\_\_\_\_  
STEPHEN Q. ROWELL, ESQ.  
Attorneys for Defendant  
SAFEWAY INC.

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**ORDER**

16 IT IS SO ORDERED that the Further Case Management Conference  
17 scheduled for November 18, 2011 be continued to \_\_ 01/20 \_\_, 2012.

18 Dated: 11/14/2011

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Honorable Susan Illston  
Judge, United States District Court

